

ASSEMBLY BILL

No. 1092

Introduced by Assembly Member Mullin

February 27, 2015

An act to amend Section 114870 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1092, as introduced, Mullin. Public health: radiologic technologists.

Existing law provides for the certification and regulation of radiologic technologists by the State Department of Public Health. Existing law authorizes the department to adopt regulations to implement those provisions, as specified. Existing law authorizes the department to charge a fee for a certificate issued under those provisions. Existing law requires a fee collected under those provisions to be deposited into the Radiation Control Fund, subject to appropriation by the Legislature. A violation of those provisions is a crime.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 114870 of the Health and Safety Code
- 2 is amended to read:
- 3 114870. The department shall do all of the following:

1 (a) Upon recommendation of the committee, adopt regulations
2 as may be necessary to accomplish the purposes of this chapter.

3 (b) (1) Provide for *the* certification of radiologic technologists,
4 without limitation as to procedures or areas of application, except
5 as provided in Section 106980. Separate certificates shall be
6 provided for diagnostic radiologic technology, for mammographic
7 radiologic technology, and for therapeutic radiologic technology.
8 If a person has received accreditation to perform mammography
9 from a private accreditation organization, the department shall
10 consider this accreditation when deciding to issue a mammographic
11 radiologic technology certificate.

12 (2) Provide, upon recommendation of the committee, that a
13 radiologic technologist who operates digital radiography equipment
14 devote a portion of his or her continuing education credit hours to
15 continuing education in digital radiologic technology.

16 (c) (1) (A) Provide, as may be deemed appropriate, for ~~granting~~
17 *issuing* limited permits to persons to conduct radiologic technology
18 limited to the performance of certain procedures or the application
19 of X-rays to specific areas of the human body, except for
20 mammography, prescribe minimum standards of training and
21 experience for these persons, and prescribe procedures for
22 examining applicants for limited permits. The minimum standards
23 shall include a requirement that persons ~~granted~~ *issued* limited
24 permits under this subdivision shall meet those fundamental
25 requirements in basic radiological health training and knowledge
26 similar to those required for persons certified under subdivision
27 (b) as the department determines are reasonably necessary for the
28 protection of the health and safety of the public.

29 (B) Provide that an applicant for approval as a limited permit
30 X-ray technician in the categories of chest radiography, extremities
31 radiography, gastrointestinal radiography, genitourinary
32 radiography, leg-podiatric radiography, skull radiography, and
33 torso-skeletal radiography, as these categories are defined in
34 Section 30443 of Title 17 of the California Code of Regulations,
35 shall have at least 50 hours of education in radiological protection
36 and safety. The department may allocate these hours as it deems
37 appropriate.

38 (2) Provide that a limited permit X-ray technician in the
39 categories of chest radiography, extremities radiography,
40 gastrointestinal radiography, genitourinary radiography,

1 leg-podiatic radiography, skull radiography, and torso-skeletal
2 radiography, as these categories are defined in Section 30443 of
3 Title 17 of the California Code of Regulations, may perform digital
4 radiography within their respective scopes of practice after
5 completion of 20 hours or more of instruction in digital radiologic
6 technology approved by the department. This requirement shall
7 not be construed to preclude limited permit X-ray technicians in
8 the categories of dental laboratory radiography and X-ray bone
9 densitometry from performing digital radiography upon meeting
10 the educational requirements determined by the department.

11 (3) Provide, upon recommendation of the committee, that a
12 limited permit X-ray technician who has completed the initial
13 instruction described in paragraph (2) devote a portion of his or
14 her required continuing education credit hours to additional
15 continuing instruction in digital radiologic technology.

16 (d) Provide for the approval of schools for radiologic
17 technologists. Schools for radiologic technologists shall include
18 20 hours of approved instruction in digital radiography. The
19 department may exempt a school from this requirement as it deems
20 appropriate.

21 (e) Provide, upon recommendation of the committee, for
22 certification of licentiates of the healing arts to supervise the
23 operation of X-ray machines or to operate X-ray machines, or both,
24 prescribe minimum standards of training and experience for these
25 licentiates of the healing arts, and prescribe procedures for
26 examining applicants for certification. This certification may limit
27 the use of X-rays to certain X-ray procedures and the application
28 of X-rays to specific areas of the human body.

29 (f) (1) Provide for certification of any physician and surgeon
30 to operate, and supervise the operation of, a bone densitometer, if
31 that physician and surgeon provides the department a certificate
32 that evidences training in the use of a bone densitometer by a
33 representative of a bone densitometer machine manufacturer, or
34 through any radiologic technology school. The certification shall
35 be valid for the particular bone densitometer the physician and
36 surgeon was trained to use, and for any other bone densitometer
37 that meets all of the criteria specified in subparagraphs (A) to (C),
38 inclusive, if the physician and surgeon has completed training, as
39 specified in subparagraph (A) of paragraph (2), for the use of that
40 bone densitometer. The physician and surgeon shall, upon request

1 of the department, provide evidence of training, pursuant to
2 subparagraph (A) of paragraph (2), for the use of any bone
3 densitometer used by the physician and surgeon. The activity
4 covered by the certificate shall be limited to the use of an X-ray
5 bone densitometer to which all of the following is applicable:

6 (A) The bone densitometer does not require user intervention
7 for calibration.

8 (B) The bone densitometer does not provide an image for
9 diagnosis.

10 (C) The bone densitometer is used only to estimate bone density
11 of the heel, wrist, or finger of the patient.

12 (2) The certificate shall be accompanied by a copy of the
13 curriculum covered by the manufacturer’s representative or
14 radiologic technology school. The curriculum shall include, at a
15 minimum, instruction in all of the following areas:

16 (A) Procedures for operation of the bone densitometer by the
17 physician and surgeon, and for the supervision of the operation of
18 the bone densitometer by other persons, including procedures for
19 quality assurance of the bone densitometer.

20 (B) Proper radiation protection of the operator, the patient, and
21 third parties in proximity to the bone densitometer.

22 (C) Provisions of Article 5 (commencing with Section 106955)
23 of Chapter 4 of Part 1 of Division 104.

24 (D) Provisions of Chapter 6 (commencing with Section 114840)
25 of Part 9 of Division 104.

26 (E) Provisions of Group 1 (commencing with Section 30100)
27 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the
28 California Code of Regulations.

29 (F) Provisions of Group 1.5 (commencing with Section 30108)
30 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the
31 California Code of Regulations.

32 (G) Provisions of Article 1 (commencing with Section 30250)
33 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
34 of the California Code of Regulations.

35 (H) Provisions of Article 2 (commencing with Section 30254)
36 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
37 of the California Code of Regulations.

38 (I) Provisions of Article 3 (commencing with Section 30265)
39 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
40 of the California Code of Regulations.

1 (J) Provisions of Article 4 (commencing with Section 30305)
2 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
3 of the California Code of Regulations.

4 (K) Provisions of Subchapter 4.5 (commencing with Section
5 30400) of Chapter 5 of Division 1 of Title 17 of the California
6 Code of Regulations.

7 (3) (A) Notwithstanding any other provision of law, this
8 subdivision shall constitute all the requirements that must be met
9 by a physician and surgeon in order to operate, and supervise the
10 operation of, a bone densitometer. The department may adopt
11 regulations consistent with this section in order to administer the
12 certification requirements.

13 (B) No person may be supervised by a physician and surgeon
14 in the use of a bone densitometer unless that person possesses the
15 necessary license or permit required by the department.

16 (C) Nothing in this subdivision shall affect the requirements
17 imposed by the committee or the department for the registration
18 of a bone densitometer machine, or for the inspection of facilities
19 in which any bone densitometer machine is operated.

20 (D) This subdivision shall not apply to a licentiate of the healing
21 arts who is certified pursuant to subdivision (e) or pursuant to
22 Section 107111.

23 (E) The department shall charge a fee for a certificate issued
24 pursuant to this subdivision to the extent necessary to administer
25 certification. The fee shall be in an amount sufficient to cover the
26 department's costs of implementing this subdivision and shall not
27 exceed the fee for certification to operate or supervise the operation
28 of an X-ray machine pursuant to subdivision (e). The fees collected
29 pursuant to this subparagraph shall be deposited into the Radiation
30 Control Fund established pursuant to Section 114980.

31 (g) Upon recommendation of the committee, exempt from
32 certification requirements those licentiates of the healing arts who
33 have successfully completed formal courses in schools certified
34 by the department and who have successfully passed a
35 roentgenology technology and radiation protection examination
36 approved by the department and administered by the board that
37 issued his or her license.

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